

Attorney Docket: 081468-0306001
Client Reference: P-0358.010-US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation Number: 3252

KOSHELEV ET AL.

Application No.: 10/664,065

Group Art Unit: 2881

Filed: September 17, 2003

Examiner: Wells, Nikita

Title: RADIATION SOURCE, LITHOGRAPHIC APPARATUS AND DEVICE
MANUFACTURING METHOD

April 14, 2008

LETTER TO EXAMINER

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This letter is in furtherance of the telephone conferences (hereinafter the "conferences") of April 3, 2008 and April 9, 2008, between the Examiner and the undersigned. Applicant would like to express appreciation for the courtesies extended by Examiner Wells to the undersigned during the conferences. The substance of the conferences is incorporated into the remarks below and constitutes Applicant's record of the conferences.

During the conferences, the Examiner indicated that (1) claims 27-31 are allowed, (2) claims 6-26, 36-41 and 43 would be rejected under a non-statutory obviousness-type double patenting rejection in view of U.S. Patent No. 6,933,510, issued on August 23, 2005, and (3) claims 1-5, 32-35 and 42 would be rejected under 35 U.S.C. 102(a) based on U.S. Patent No. 6,518,692 to Schoenbach *et al.* The Examiner also indicated that claims 6-26, 36-41 and 43 would be allowable upon the filing of a Terminal Disclaimer and claims 1-5, 32-35 and 42 would be allowable if rewritten to recite the features of dependent claim 3.

Without responding to the merits or substance of these rejections, and while expressly disagreeing with these rejections, merely in order to expedite prosecution of this application and to place this application in condition for allowance, Applicant submits herewith a

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Terminal Disclaimer and authorizes the Examiner to amend independent claims 1, 32 and 42 to recite the features of dependent claim 3.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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Encl: Terminal Disclaimer